

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
HATTIESBURG DIVISION

UNITED STATES OF AMERICA

VERSUS

CRIMINAL NO. 2:09cr43 KS-MTP-002

TELANDRA GAIL JONES, ET AL

ORDER

This cause is before the Court on Defendant Telandra Gail Jones' Motion in Limine to Exclude Hearsay Statements Made by Other Defendants and Alleged Co-Conspirators [122], Response thereto by the United States [129], and the Court after considering the same finds as follows:

That the Motion addresses statements that would be hearsay under Federal Rules of Evidence 801 and 802. Statements which are hearsay are excluded pursuant to Rule 802 unless one of the exceptions stated in Rule 803 is applicable. Also statements by a co-conspirator made during the course and in the furtherance of the conspiracy are not hearsay under F.R.E. 801(d)(2)(E).

If a statement offered to prove the truth of what was said does not comport with one of the hearsay exceptions under Rule 803 and does not fit within one of the exceptions set forth in Rule 801, then it will not be admitted. The Court is unaware of specific statements that the Movant is addressing. However, it is apparent that Movant is concerned about statements made by co-conspirators not in the furtherance or during the course of the conspiracy. Unless the proffered statements comport with the admissibility set forth in the Federal Rules of Evidence,

then they will not be admitted. This Motion is sustained. If the Government attempts to offer any hearsay statements as defined in Rule F.R.E. 802, then Movant herein shall voice a contemporaneous objection and the Court will apply Rule 801 and 803 to the proffered testimony and rule accordingly.

SO ORDERED this the 12<sup>th</sup> day of May, 2010.

*s/ Keith Starrett*  
UNITED STATES DISTRICT JUDGE